

REMARKS

In the Office Action, claims 1, 4, 6-17, 20, and 22- 28 were pending and rejected. In this response, claims 1, 14, 17, 24-26, and 28 have been amended to particularly point out and distinctly claim, in full, clear, concise, and exact terms, the subject matter which Applicants regards as the invention. Claims 13, 15 and, 27 are canceled without prejudice. No new matter has been added. Continued examination of the present claims in light of the aforementioned amendments and the following remarks is requested.

Claim Objections

Claims 1, 14, 17, 24 and the claims depending thereon were objected because of the informalities as pointed out in the Office Action. The independent claims 1, 14, 17, and 24 have been amended as suggested in the Office Action. The Applicants respectfully request the objections towards the claims to be withdrawn.

Rejections under 35 U.S.C. § 101

In the Office Action, claims 26-28 were rejected over 35 U.S.C. § 101. In this response, claims 26 and 28 have been amended to recite “a computer-readable storage medium”. A computer-readable storage medium is a tangible article of manufacture which is a statutory subject matter. A storage medium does not include a signal/carrier wave. Hence, the Applicants submit that the claims are directed to patentable subject matter. Applicants respectfully request the withdrawal of the rejections for the claims.

Rejections under 35 U.S.C. § 102

Claims 1, 4, 6-7, 17, 20, and 22-23 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,172,677 of Stautner et al. (hereinafter “Stautner”).

In view of the foregoing amendments, it is respectfully submitted that claims 1, 4, 6-7, 17, 20, and 22-23, as amended, include limitation that is not disclosed by Stautner. Claim 1, as amended, recites:

I. A method comprising:

creating a program schedule that includes a listing for a television program
that has supplementary content provided as an enhancement
transmitted in association with the television program;

**associating a predefined unique symbol with a type of the
supplementary content to indicate a one-screen interactivity
mode to display first interactive content and the television
program on a first screen, or to indicate a two-screen
interactivity mode to display, on a second screen, second
interactive content synchronized to the television program on
the first screen, or to indicate a two-screen static web mode to
display, on the second screen, static content related but not
synchronized to the television program on the first screen;**

providing the predefined unique symbol in association with the listing in
the program schedule. (emphasis added)

Applicants respectfully submit that claim 1 as amended requires “associating a predefined unique symbol with a type of the supplementary content to indicate a one-screen interactivity mode to display first interactive content and the television program on a first screen, or to indicate a two-screen interactivity mode to display, on a second screen, second interactive content synchronized to the television program on the first screen, or to indicate a

two-screen static web mode to display, on the second screen, static content related but not synchronized to the television program on the first screen”. Stautner fails to disclose at least this limitation.

Stautner is directed to a software application running on a general purpose computer which presents a controlling front end which may be used to control the computer. The control may allow the user to navigate, select or take other actions on the information (col. 3, line 65 to col. 4, line 2). Stautner is directed to software application such as a web browser running on a computer and the application is required to capture user inputs. Consequently, Stautner’s listing can not function if distributed as a printed publication. Most importantly, Stautner does not disclose the “associating a predefined unique symbol with a type of the supplementary content to indicate a one-screen interactivity mode to display first interactive content and the television program on a first screen, or to indicate a two-screen interactivity mode to display, on a second screen, second interactive content synchronized to the television program on the first screen, or to indicate a two-screen static web mode to display, on the second screen, static content related but not synchronized to the television program on the first screen”.

At least for the foregoing reason, Applicants believe that claim 1 is patentable. Applicants respectfully request the withdrawal of the rejection for claim 1. Moreover, dependent claims 4 and 6-7 depend from independent claim 1. Applicants believe that claim 1 is allowable such that claims 4, 6, and 7 depending thereon with additional limitations are also in condition for allowance.

Similarly, independent claim 17 includes substantially the same limitation, i. e., “associating a predefined unique symbol with a type of the supplementary content to indicate a one-screen interactivity mode to display first interactive content and the television program on a first screen, or to indicate a two-screen interactivity mode to display, on a second screen,

second interactive content synchronized to the television program on the first screen, or to indicate a two-screen static web mode to display, on the second screen, static content related but not synchronized to the television program on the first screen". Thus, for the reasons similar to those discussed above, it is respectfully submitted that claim 17 is not anticipated by Stautner. Accordingly, claims 20 and 22-23 depending there from with additional limitations are also in condition for allowance. Applicants respectfully submit that claims 1, 4, 6-7, 17, 20, and 22-23 are patentable over the cited reference, and respectfully request the rejections of claims under 35 U.S.C. §102(b) be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 8-16 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stautner in view of U.S. Patent No. 6,268,849 of Boyer et al. (hereinafter "Boyer").

Claim 8-12 depend directly and indirectly on Claim 1. The detailed remarks above with respect to independent claim 1 are incorporated herein by reference. On the other hand, Boyer discloses a program listing with embedded real-time data transmitted over internet communication link. Boyer describes "television program listings with embedded real-time data are preferably provide to the user's multimedia system in the form of web pages" (col. 2, line 49-52). Boyer fails to disclose "associating a predefined unique symbol with a type of the supplementary content to indicate a one-screen interactivity mode to display first interactive content and the television program on a first screen, or to indicate a two-screen interactivity mode to display, on a second screen, second interactive content synchronized to the television program on the first screen, or to indicate a two-screen static web mode to display, on the

second screen, static content related but not synchronized to the television program on the first screen”.

At least for the foregoing reason, the Applicants submit that, Stautner in view of Boyer fail to disclose limitation “associating a predefined unique symbol with a type of the supplementary content to indicate a one-screen interactivity mode to display first interactive content and the television program on a first screen, or to indicate a two-screen interactivity mode to display, on a second screen, second interactive content synchronized to the television program on the first screen, or to indicate a two-screen static web mode to display, on the second screen, static content related but not synchronized to the television program on the first screen” as recited in claim 1. Applicants respectfully submit that claims 8-12 depending on claim 1 are allowable and request the claim rejections be withdrawn.

Similarly, independent claims 14 and 24 contain substantially the same limitation “associating a predefined unique symbol with a type of the supplementary content to indicate a one-screen interactivity mode to display first interactive content and the television program on a first screen, or to indicate a two-screen interactivity mode to display, on a second screen, second interactive content synchronized to the television program on the first screen, or to indicate a two-screen static web mode to display, on the second screen, static content related but not synchronized to the television program on the first screen”. Both Stautner and Boyer fail to disclose the teaching as required in the claims. Therefore, the Applicants respectfully request withdrawal of the claim rejections for claims 14 and 24. Applicants believe that claims 16, 25-26, and 28 depending on independent claims 14 and 24, are also allowable for the same reason, hence Applicants respectfully request withdrawal of the claim rejections.

CONCLUSION

In view of the foregoing, Applicants respectfully submit the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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